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**BEFORE THE BOARD OF DIRECTORS OF  
NORTHWEST BOISE SEWER DISTRICT, ADA COUNTY, IDAHO**

**IN THE MATTER OF THE INCLUSION )  
OF CERTAIN REAL PROPERTY IN THE ) ORDER OF INCLUSION  
NORTHWEST BOISE SEWER DISTRICT )  
OWNED BY THE MARY M. SCHWEIZER )  
REVOCABLE LIVING TRUST )**

THIS MATTER having come on regularly for hearing this 13<sup>th</sup> day of August, 2012, pursuant to a petition filed with the Board of the Northwest Boise Sewer District (the "District") on July 17, 2012, by the **Mary M. Schweizer Revocable Living Trust**, by Barbara Schweizer Gehrke, successor co-trustee of said Trust, Petitioner and Owner, and pursuant to a notice by publication in the Idaho Statesman, a newspaper of general circulation within the District, on July 30, 2012, and August 6, 2012, the proof of which more fully appears in the Affidavit of Publication attached hereto. No person appeared to protest the inclusion of the real property owned by Petitioner; and

Since the property proposed to be annexed was not contained in the original boundaries of the District, the Board will require that the property be annexed subject to certain conditions hereafter set forth.

The Board has a contract with the City of Boise for the treatment of the effluent collected by the District. The Board is of the opinion that the territory should be annexed to the District but when sewer service is requested, in addition to the District's tap-in charges, the following conditions are to be met:

1. The District will charge the then current Boise City treatment plant connection charge for any residential or residential equivalent unit and upon receipt of this connection charge disburse the

*Re recorded*

amount to the City of Boise. The purpose of this requirement is to insure that all property within the District will pay a reasonable charge for use of the capacity in the Boise treatment plant.

2. Responsibility for construction, operation and maintenance of the building sewer line to its connection to the end of the service connection shall remain with the Owner of the annexed area.

There being no objection to the inclusion of said property owned by Petitioner, subject to said conditions, and the Board being fully advised,

**NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that it is in the best interests of the Petitioner and the District that the subject parcel of property described on Exhibit A attached hereto be and the same is hereby included within the District.

When sewer service is requested, the District will require at the time of connection of any residential or residential equivalent unit in addition to all fees and charges of the District, the connection fee imposed by the City of Boise according to the current City ordinance at the time of connection to the Northwest Boise Sewer District.

Responsibility for construction, operation and maintenance of the building sewer line to its connection to the end of the service connection shall remain with the Owner of the annexed area.

**IT IS FURTHER ORDERED** that the Petitioner and Owner of the said property described in Exhibit A attached hereto gives evidence of approval of the foregoing conditions by execution of the Consent hereinafter set out. Upon receipt of an executed copy of the Order of Inclusion of the District and Consent by the District's attorneys, said attorneys are directed to file a certified copy of

this Order with the District Court of the Fourth Judicial District of the State of Idaho, in and for Ada County, and obtain said Court's approval.

Dated this 13th day of August, 2012

NORTHWEST BOISE SEWER DISTRICT

By: Lotwick I. Reese  
Lotwick I. Reese, Chairman



Attest:  
Joannette Cox  
Joannette Cox, Secretary

RECEIVED  
AUG 20 2012  
TECHNICAL SUPPORT

**C O N S E N T**

The undersigned hereby consents to the conditions contained in the Board's Order annexing the subject parcel described on Exhibit A attached hereto.

Dated this 16<sup>TH</sup> day of August, 2012.

Barbara Schweizer Gehrke  
Barbara Schweizer Gehrke

## EXHIBIT A

### DESCRIPTION FOR PARCEL B - MARY M. SCHWEIZER REVOCABLE LIVING TRUST

A parcel of land being a portion of the NW 1/4 of Section 32, T.4N., R.2E., B.M., Boise, Ada County, Idaho, and more particularly described as follows:

Commencing at the North 1/4 corner of said Section 32; thence along the North-South center of section line

South 00°13'38" East 1194.83 feet to an iron pin on the South right-of-way line of West Willow Lane; thence along said South right-of-way line

South 89°49'00" West 1334.50 feet to an iron pin marking the **POINT OF BEGINNING**; thence leaving said South right-of-way line

South 00°56'22" West 158.53 feet to an iron pin; thence

South 88°43'59" East 133.65 feet to an iron pin on the East boundary of Record of Survey No. 7344, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 106056973; thence along said East boundary line

South 00°11'00" East 149.25 feet to an iron pin; thence continuing

South 29°24'22" West 199.41 feet to an iron pin marking the Southeast corner of said Record of Survey No. 7344; thence along the South boundary of said Record of Survey No. 7344

North 55°07'10" West 254.77 feet to an iron pin marking the Southeast corner of Willowgreens Subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 100 of Plats at page 12946; thence along the East boundary of said Willowgreens Subdivision

North 00°11'00" West 338.17 feet to an iron pin marking the Northeast corner of said Willowgreens Subdivision on said South right-of-way line of West Willow Lane; thence along said South right-of-way line, which is also the North boundary of said Record of Survey No. 7344

North 89°49'00" East 176.50 feet to the **POINT OF BEGINNING**,

Said parcel of land contains 2.383 acres, more or less.



**ACKNOWLEDGMENT**

STATE OF IDAHO  
COUNTY OF ADA

BEFORE ME, the undersigned authority, on this day personally appeared MARY M. SCHWEIZER, REVOCABLE TRUST, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 22nd day of June, 2011.

NOTARY PUBLIC FOR IDAHO  
MILBURN A. BOGGS, DVM  
BY COMMISSION EXPIRES 12/31/12

RECORD OF SURVEY NO. \_\_\_\_\_  
INSTRUMENT NO. \_\_\_\_\_

MINOR LAND DIVISION  
**RECORD OF SURVEY**  
FOR  
**MARY M. SCHWEIZER, REVOCABLE TRUST**  
**LIVING TRUST**

A PORTION OF THE NW 1/4, SECTION 32  
T.4N, R.2E, B.M.  
BOISE, ADA COUNTY, IDAHO

**CERTIFICATE OF OWNERS**

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THE RECORD OF SURVEY AND THAT THE ABOVE LAND THEREON IS ACCURATELY DESCRIBED.

**CERTIFICATE OF SURVEYOR**

I, TERRY A. TEALEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THE ABOVE LAND IS ACCURATELY DESCRIBED AND THAT THE SURVEY IS ACCURATE AND THAT THE SURVEY IS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYORS ACT.

**SIGNATURE OF THE CITY PLANNING DIRECTOR**

I DO HEREBY CERTIFY THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE CITY OF BOISE, IDAHO, AND THAT THE ABOVE LAND IS ACCURATELY DESCRIBED AND THAT THE SURVEY IS ACCURATE AND THAT THE SURVEY IS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYORS ACT.

**ADA COUNTY RECORDER'S CERTIFICATE**

STATE OF IDAHO )  
COUNTY OF ADA )  
I HEREBY CERTIFY THAT THE INSTRUMENT WAS FILED AT THE RECORDS OF THE COUNTY OF ADA AND THAT ACCORDING TO THE RECORDS OF THE COUNTY OF ADA THE INSTRUMENT IS CORRECTLY RECORDED.

**NOTES**

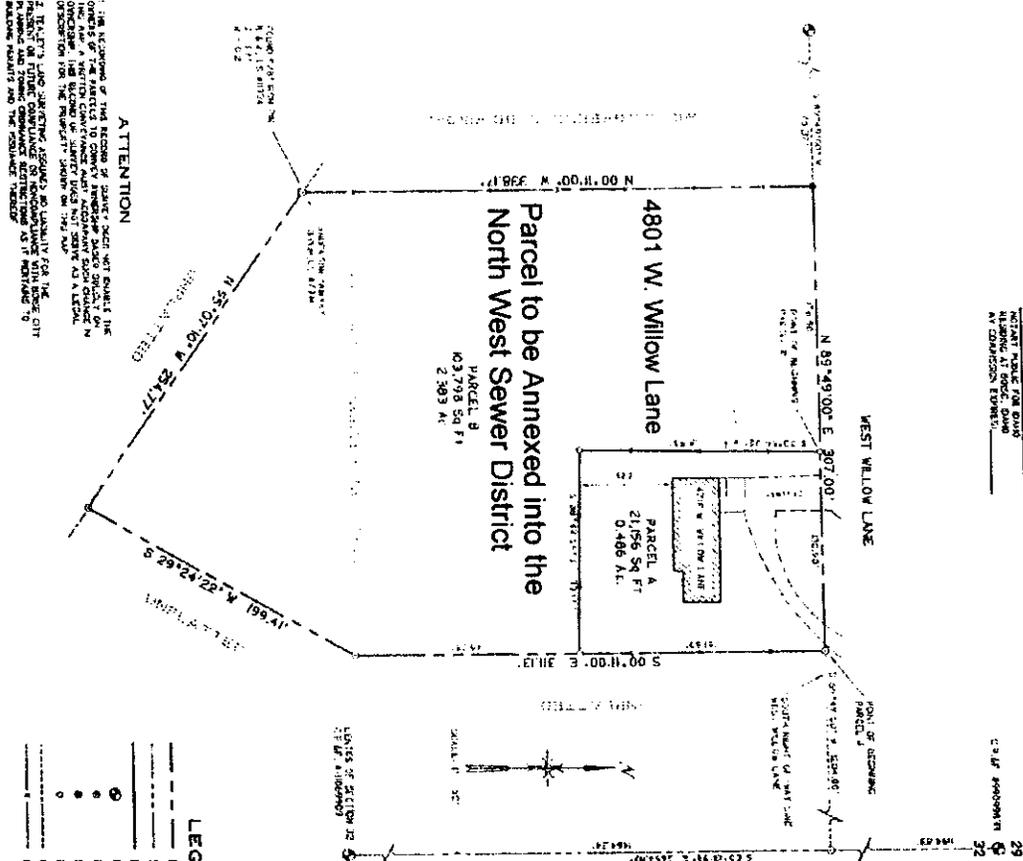
1. THIS RECORD OF SURVEY DEVELOPMENT STANDARDS IS IN ACCORDANCE WITH THE CITY OF BOISE, IDAHO, AND THAT THE SURVEY IS ACCURATE AND THAT THE SURVEY IS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYORS ACT.
2. ALL BOUNDARIES ARE ACCURATELY DEPICTED.
3. THIS RECORD OF SURVEY IS SUBJECT TO THE CITY OF BOISE, IDAHO, AND THAT THE SURVEY IS ACCURATE AND THAT THE SURVEY IS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE PROFESSIONAL LAND SURVEYORS ACT.

**TEALEY'S LAND SURVEYING**  
BY TERRY A. TEALEY, LICENSED SURVEYOR  
204-209-0436  
GARDNER CITY, IDAHO

**DATE:** JUNE, 2011  
**DRAWING NO.:** 3645

RECORDING INDEX NO. 421-32-4-0-0-00-0000

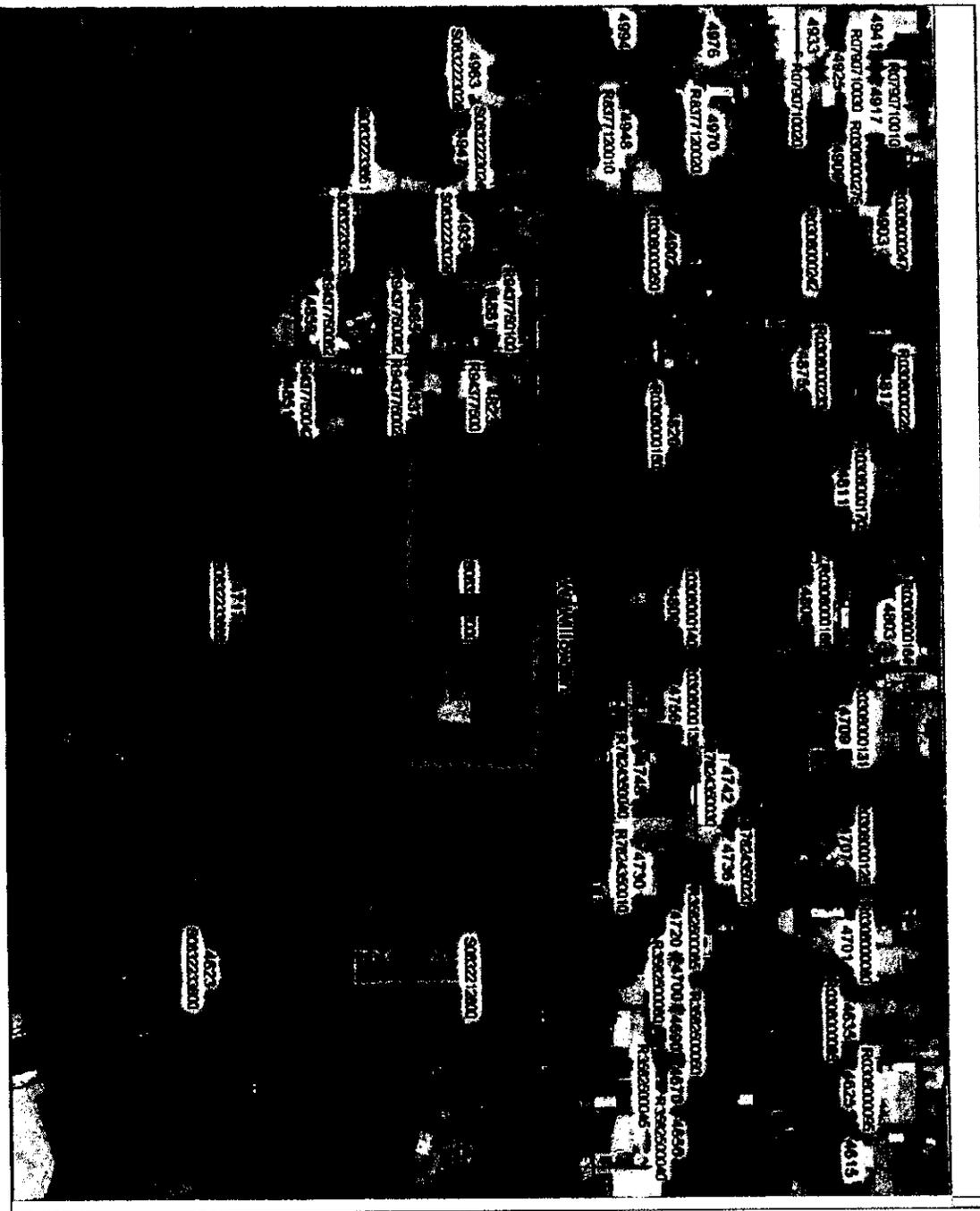
DATE: JUNE 22, 2011



**ATTENTION**

THE RECORDS OF THE RECORDS OF SURVEY SECTION 32, T.4N, R.2E, B.M., BOISE, ADA COUNTY, IDAHO, SHOW A RECORD OF SURVEY FOR THE SAME PARCEL AS SHOWN ON THIS RECORD OF SURVEY. THE RECORDS OF SURVEY SECTION 32, T.4N, R.2E, B.M., BOISE, ADA COUNTY, IDAHO, SHOW A RECORD OF SURVEY FOR THE SAME PARCEL AS SHOWN ON THIS RECORD OF SURVEY. THE RECORDS OF SURVEY SECTION 32, T.4N, R.2E, B.M., BOISE, ADA COUNTY, IDAHO, SHOW A RECORD OF SURVEY FOR THE SAME PARCEL AS SHOWN ON THIS RECORD OF SURVEY.

### 4801 W. Willow Lane



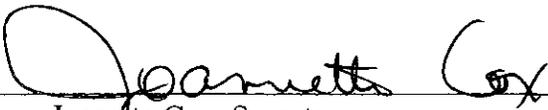
THIS MAP NOT INTENDED FOR NAVIGATIONAL USE

SECRETARY'S CERTIFICATE

I, Joannette Cox, Secretary of the Northwest Boise Sewer District, Ada County, Idaho, hereby certify that attached hereto are true and correct copies of the following documents:

1. Petition for the Inclusion of Certain Real Property in the Northwest Boise Sewer District, by Barbara Schweizer Gehrke, Trustee;
2. Certificate of Publication with respect to the hearing on such inclusion; and
3. Board Order of Inclusion, together with Petitioner's Consent.

NORTHWEST BOISE SEWER DISTRICT

By  \_\_\_\_\_  
Joannette Cox, Secretary